

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

UNITED STATES OF AMERICA

CRIMINAL ACTION NO. 13-0093

VERSUS

JUDGE DONALD E. WALTER

RODERICK D. CALDWELL

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

Before the Court is a motion for expungement on equitable grounds filed pro se by Roderick D. Caldwell (“Caldwell”). See Record Document 32. Based on the following, the motion is **DENIED**.

Federal courts have limited jurisdiction and “possess only [the] power authorized by the Constitution and statute, which is not to be expanded by judicial decree.” Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 377, 114 S. Ct. 1673, 1675 (1994). Congress has not expressly given federal courts the general power to expunge criminal records. See United States v. Nta, No. 16-0138, 2025 WL 444762, at *2 (W.D. La. Feb. 10, 2025). The Fifth Circuit has only pointed to two contexts in which federal courts have jurisdiction to expunge a defendant’s record: “(1) where the defendant has a specific statutory right to expungement, and (2) where the record retention constitutes an affirmative violation of his constitutional rights.” United States v. Corkern, No. 24-60189, 2024 WL 5199332, at *2 (5th Cir. Dec. 23, 2024) (quoting United States v. Wahi, 850 F.3d 296, 302 (7th Cir. 2017)). Specifically relevant to the instant motion, courts within the Fifth Circuit lack jurisdiction to expunge the judicial record in a criminal case on purely equitable grounds. See id. at *2 n.2. “Because a motion to expunge is ‘not incidental to anything properly before the court’ or ‘to the court's ability to function successfully,’ jurisdiction over the motion ‘must instead have

a source in the Constitution or statutes.’ ” Id. (quoting Wahi, 850 F.3d at 302-03). The Court simply lacks the power to achieve what Caldwell seeks. Accordingly,

IT IS ORDERED that Caldwell’s motion for expungement (Record Document 32) is **DENIED**.

THUS DONE AND SIGNED at Shreveport, Louisiana, this 1st day of December, 2025.


DONALD E. WALTER
UNITED STATES DISTRICT JUDGE